



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt a resolution accepting funds in the amount of \$46,045, from the Bureau of Justice Assistance to support technology program activities within the Lodi Police Department.

**MEETING DATE:** September 21, 2005

**PREPARED BY:** Jerry J. Adams, Chief of Police

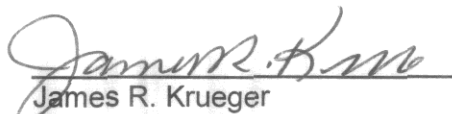
**RECOMMENDED ACTION:** That the City Council adopts a resolution authorizing the City Manager to sign agreement forms with the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, accepting grant funding in the amount of \$46,045.

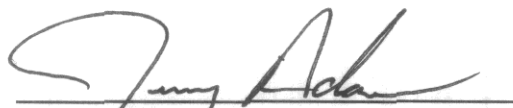
**BACKGROUND INFORMATION:** On April 20, 2005, the Lodi Police Department submitted forms and a proposal for funding to the Bureau of Justice Assistance. The proposal was to use funds from the Justice Assistance Program to support technology program activities initially started with funding received from the Local Law Enforcement Block Grants (which have concluded). Technology support includes the replacement of computer hardware such as: Mobile Data Computers and associated software for patrol vehicles; replacement of in-house computer towers, servers and external tape drives; Linksys wireless adapters; and radar unit replacement. Software purchases include yearly license fees for Microsoft Office Systems and Suspect Image Database. Information about our grant proposal was communicated to the Lodi City Council, and Mayor, via e-mail. Information was also disbursed to citizens, for review and comment, on the Lodi Police Department website and the City of Lodi website; as required by grant parameters. No comments were received from the public.

The Lodi Police Department was awarded the grant by the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance on August 19, 2005, in the amount of \$46,045. We now need to accept the grant funding.

**FISCAL IMPACT:** None

**FUNDING:** Total Grant is \$46,045. There are no matching funds required.

  
James R. Krueger  
Finance Director

  
Jerry J. Adams  
Chief of Police

Cc: City Attorney

**APPROVED:**   
Blair King, City Manager



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

Grant

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

City of Lodi  
221 West Pine Street  
Lodi, CA 95240-0000

4. AWARD NUMBER: 2005-DJ-BX-1492

5. PROJECT PERIOD: FROM 10/01/2004 TO 09/30/2008

BUDGET PERIOD: FROM 10/01/2004 TO 09/30/2008

6. AWARD DATE 08/18/2005

7. ACTION

1A. GRANTEE IRS/VENDOR NO.

946000361

8. SUPPLEMENT NUMBER

00

Initial

3. PROJECT TITLE

Law Enforcement Technical Assistance

9. PREVIOUS AWARD AMOUNT

\$ 0

10. AMOUNT OF THIS AWARD

\$ 46,045

11. TOTAL AWARD

\$ 46,045

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under Public Law 108-447; 118 Stat. 2862 (Consolidated Appropriations Act, FY 2005)

15. METHOD OF PAYMENT

PAPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Domingo S. Herranz  
Director, Bureau of Justice Assistance

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Blair King  
City Manager

17. SIGNATURE OF APPROVING OFFICIAL

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT
X	B	DJ	80	00	00		46045

21. DJ05U00861



Department of Justice  
Office of Justice Programs  
Bureau of Justice  
Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

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PROJECT NUMBER 2005-DJ-BX-1492

AWARD DATE 08/18/2005

*SPECIAL CONDITIONS*

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
6. Recipient agrees that funds provided under this award may not be used to operate a "pay-to-stay" program in any local jail. Recipient further agrees not to subaward funds to local jails which operate "pay-to-stay" programs.
7. To support public safety and justice information sharing, OJP requires the grantee to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at [www.it.ojp.gov/gjxdm](http://www.it.ojp.gov/gjxdm).



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***SPECIAL CONDITIONS***

8. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

9. This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"]. No monies from this award may be obligated to support meth lab operations unless the grantee implements this special condition.

The Office of Justice Programs (OJP), in consultation with the Bureau of Justice Assistance, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a Program-level Environmental Assessment (Assessment) governing meth lab operations. The Assessment describes the adverse environmental, health, and safety impacts likely to be encountered by law enforcement agencies as they implement specific actions under their methamphetamine laboratory operations. Consistent with the Assessment, the following terms and conditions shall apply to the grantee for any OJP funded methlab operations:

- A. The grantee shall ensure compliance by OJP funded sub-grantees with federal, state, and local environmental, health, and safety laws and regulations applicable to meth lab operations, to include the disposal of the chemicals, equipment, and wastes resulting from those operations.
- B. The grantee shall have a Mitigation Plan in place that identifies and documents the processes and points of accountability within its state. This plan will be used to ensure that the adverse environmental, health, and safety impacts delineated in the Assessment are mitigated in a manner consistent with the requirements of this condition.
- C. The grantee shall monitor OJP funded meth lab operations to ensure that they comply with the following nine mitigation measures identified in the Assessment and whose implementation is addressed in the grantee's Mitigation Plan. These mitigation measures must be included as special conditions in all subgrants: (See Part II of this special condition)



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*SPECIAL CONDITIONS*

10. 1. Provide medical screening of personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories;
2. Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to either the seizure or closure of clandestine methamphetamine laboratories;
3. As determined by their specified duties, equip the personnel with OSHA required protective wear and other required safety equipment;
4. Assign properly trained personnel to prepare a comprehensive contamination report on each seized/closed laboratory;
5. Utilize qualified disposal personnel to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized laboratory;
6. Dispose of the chemicals, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities;
7. Monitor the transport, disposal, and recycling components of subparagraphs numbered 5. and 6. immediately above in order to ensure proper compliance;
8. Have in place and implement a written agreement with the responsible state environmental agency. This agreement must provide that the responsible state environmental agency agrees to (i) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory and (ii) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the state environmental agency and in accordance with existing state and federal requirements; and
9. Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

11. The recipient shall submit to BJA one copy of all reports and proposed publications resulting from this agreement twenty (20) days prior to public release. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements:

"This project was supported by Grant No. 2005-DJ-BX-1492 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United State Department of Justice."

The current edition of the OJP Financial Guide provides guidance on allowable printing activities.

12. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund may not be used to pay debts incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 120 days after the end of the grant period, along with the final submission of the Financial Status Report (SF-269).
13. The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the BJA in the program guidance for the Justice Assistance Grant (JAG). Compliance with these requirements will be monitored by BJA.

RESOLUTION NO. 2005-202

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING GRANT FUNDS FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENT DOCUMENTS ON BEHALF OF THE CITY OF LODI

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby accepts the grant funds from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the amount of \$46,045 to be used to support technology program activities within the Lodi Police Department; and

BE IT FURTHER RESOLVED that the Lodi City Council hereby authorizes the City Manager to execute the Grant Agreement documents on behalf of the City of Lodi.

Dated: September 21, 2005

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I hereby certify that Resolution No. 2005-202 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 21, 2005 by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce,  
and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
SUSAN J. BLACKSTON  
City Clerk